

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 23-160 (25) (NEB/JFD)

Plaintiff,

vs.

MOTION TO RECONSIDER
DETENTION – REVISED-

Isaiah Bell,

Defendant.

The defendant, by and through his attorney, Kurt B. Glaser, respectfully moves the Court to reopen the decision as to his pretrial detention. Under 18 U.S.C. § 3142(f)(2)(B), a detention decision,

may be reopened ... at any time before trial if the judicial officer finds that information exists that was not known to the movant at the time of the hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of such person as required and the safety of any other person and the community.

Mr. Bell requests the reopening of his pretrial detention based on the following change in circumstances:

Mr. Bell appeared before the Honorable Magistrate Judge Schultz on May 5, 2023, for a detention hearing where his continued detention was ordered. He is currently being held at Sherburne County Jail. The Pretrial Services Report expressed concerns about Mr. Bell's active warrant in Hennepin County (Court File No. 27-CR-23-1619) but mentioned that if the warrant was resolved and Mr. Bell made arrangements to comply with the recommendations of a substance use assessment, his eligibility for release could be re-evaluated. During the hearing, Magistrate Schultz also indicated a willingness to reconsider Mr. Bell's release once the Hennepin County

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warrant was resolved.

On May 9, 2023, the Hennepin County warrant in case 27-CR-23-1619 was recalled, and the case was dismissed by the state prosecutor.

On May 30, 2023, Mr. Bell completed a Substance Use Determination.

On June 1, 2023, USPTS confirmed that, based on the findings of his Substance Use Determination, Mr. Bell was eligible for admission to the residential inpatient treatment program at Minnesota Adult and Teen Challenge.

On June 2, 2023, USPTS confirmed that the estimated wait time for admission is approximately one week.

USPTS has indicated that their initial release recommendation would change given the defendants acceptance into Minnesota Adult and Teen Challenge.

Mr. Bell has demonstrated a high likelihood of success on pretrial release. The Government has confirmed that the alleged conduct in the current case is the same conduct for which he was charged in his now-dismissed State case.

In the State case, which was filed in January 2023, Mr. Bell's conditions for release included no bail requirement, with the condition that he remain sober and report to his supervising agent as required. Mr. Bell fully complied with pretrial supervision upon his release. He has attended all court appearances in that case and his previous cases, and he has never had a bench warrant issued against him.

Mr. Bell's pretrial supervision in his State case ended with his indictment in the current case. Given his sobriety and compliance during pretrial release in the State case, it is a strong indication that he will remain sober and compliant in his Federal case, which involves the same

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conduct. Enrolling in treatment at Minnesota Adult and Teen Challenge will support his sobriety and ensure his attendance at future court dates in the current case. Therefore, the proposed conditions are well-suited to ensure public safety and Mr. Bell's appearance at future court proceedings.

Respectfully Submitted,

**BERGLUND, BAUMGARTNER,
KIMBALL & GLASER, L.L.C.**

By C.J.A. Appointment

Dated: June 6, 2023

By: s/ Kurt B. Glaser
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